

Laying into Verres

Jonathan Prag

Jonathan Prag makes the case for taking another look at Cicero's famously aggressive prosecution of the corrupt Roman governor Gaius Verres. Was Cicero really acting on behalf of an oppressed province, was he definitely the right man for the job, and does it matter that he never actually delivered the majority of the speeches?

In 70 B.C. Cicero prosecuted the corrupt Roman governor of Sicily, Gaius Verres. The set of seven prosecution speeches, known to us as Cicero's *Verrines* (the English name taken from their common Latin title *Orationes Verrinae*) are unusual in many ways: they constitute not only the only surviving Ciceronian prosecution speech, but also the only surviving example of any Roman prosecution speech.

Cicero's relentless attack succeeded brilliantly. Verres fled into exile and has been a byword for corrupt government ever since, both in antiquity – employed by Juvenal in his *Satires* (2.26, 3.53, 8.106) – and in the early modern era: in the eighteenth century Verres underpinned satirical attacks on the first prime minister, Horace Walpole ('Verres and his scribblers'), and the monumental prosecution of the first governor general of India, Warren Hastings, by Edmund Burke ('Cicero against Verres').

Speeches that were never spoken

In fact, Cicero's speeches were almost too successful. As Plutarch comments, 'This man, who had been praetor of Sicily, and whom the Sicilians prosecuted for many villainous acts, Cicero convicted, not by speaking, but, in a way, by actually not speaking' (*Life of Cicero* 7): the short opening pair of speeches, the *actio prima*, and its accompanying tidal wave of evidence overwhelmed the defence and Verres went into exile before the prosecution was concluded. The full set of seven speeches was therefore, as far as we can tell, never delivered. This is not unique among Cicero's surviving oratory: the *Pro Milone* and the *Second Philippic* are similar cases, but only up to a point: the *Pro Milone* was rewritten, after the original failed; the *Second Philippic* was essentially a pamphlet for circulation.

When circulating the texts of the *Verrines* for 'publication', Cicero therefore needed to redress the paradox that he

had won a rhetorical contest against the leading orator of the day, without ever enjoying the 'airtime' and visibility that extended, full-scale speeches ('*orationes perpetuae*') could deliver.

But, as they say, let us go back to the beginning. Marcus Tullius Cicero was a 'new man', that is, one whose family had not previously held high senatorial office at Rome, from the central Italian town of Arpinum. He began his public career in the law courts at the end of the 80s B.C., and in 76 B.C. won election to the first step on the political ladder at Rome, the quaestorship. Quaestors served as assistants and financial officers to the senior Roman magistrates, consuls and praetors, who governed the provinces of the Republic's empire. Cicero was assigned to one of the two quaestorships of Sicily for 75 B.C. (serving under the island's praetorian governor). Looking back, in 54 B.C. (*Pro Plancio* 64), Cicero claimed that no Sicilian quaestor had won greater favour or renown than himself. First among his achievements was the provision of a great quantity of corn to Rome, during a shortage; but he also played the tourist, hunting out the tomb of Archimedes in Syracuse (*Tusc. Disp.* 5.64).

The root of all evil: Sicily, the international grain trade, and big money

Both of these point to the importance of Sicily in the Roman world at this date. It was a rich island, settled by Greeks and Phoenicians as early as the eighth century B.C., and the first area outside the Italian peninsula to be conquered by Rome: the First Punic War (264–241 B.C.) was fought with Carthage for control of the island, which became the first 'regular' province under a Roman magistrate. Under Roman rule the local, Greek-speaking, urban elites prospered, and in the generation before Cicero and Verres many of the cities on the island undertook major building programmes, creating monumental cityscapes typical of the Hellenistic

world.

The fourth of the *Verrines* (II.iv) is principally devoted to Verres' efforts to acquire much of the island's cultural wealth in the form of works of art which he wanted to plunder for himself. But from a Roman perspective, art took second place to the island's agricultural wealth. The longest of the *Verrines* (II.iii) is entirely concerned with Verres' manipulation of the grain tax, and since the time of the Punic Wars Sicily had been a crucial source of grain, first for the Roman army, and more recently for the constantly expanding city of Rome. The tax was unusual in the Roman provinces for being a tax-in-kind, rather than cash, and for its collection being contracted locally to Sicilians, rather than at Rome to the wealthy tax-farmers, the *publicani*. This meant that in the normal course of events the Sicilian elite were the ones who benefited most directly from the whole system, and that the returns to Rome of grain were more limited than they might otherwise have been. In the previous two generations, notwithstanding the urban regeneration that was taking place simultaneously, the island was convulsed by two of the greatest slave revolts in antiquity (c.136–131 B.C., c.104–100 B.C.), reflecting the degree of social and economic exploitation taking place on the island in this period.

Exactly the wrong man for the job? Gaius Verres in Sicily

It is against this backdrop that we turn to Gaius Verres. The son of a minor senator, who entered on his public career in the civic upheavals of the early first century B.C., almost everything we know about him comes from the first speech of the second action of the *Verrines* (II.i), in which Cicero outlines his earlier public career to devastating effect, with a character assassination typical of Roman forensic oratory – 'he was corrupt before, therefore he will have been corrupt in Sicily too'. The version we have, it should be remembered, was produced after Verres had gone into exile, unable to respond. Having risen to the eminent position of urban praetor in 74 B.C., Verres proceeded the year after, as was typical at this date, to a provincial governorship, in Sicily. Normally a provincial governor-

ship lasted one or two years; of Verres' immediate five predecessors none had held office for more than two years, and most for less. But Verres' governorship coincided with the Spartacus revolt (73–71 B.C.), and his intended successor was diverted to ignominious defeat at Spartacus' hands, leaving Verres in control of the island for three years.

This gave Verres both the time to understand and manipulate the local system to his advantage (I *Ver.* 40) – in collaboration both with local Sicilians and Roman *publicani* – and the excuse to do so in the military emergency and supply shortage created by Spartacus. Two strands of his likely defence emerge from Cicero's prosecution: that Verres sold the grain contracts at a high price (II *Ver.* 3.40), i.e. he sought to get a better return for Rome, against the interests of the Sicilians; and that he was taking measures for the island's security against Spartacus and the pirates (II *Ver.* 5.1). Fragments of Sallust's *Histories* (II.45, IV.32) confirm both that grain was short at Rome in this period, and that Verres took military action to protect Sicily. Cicero devotes two entire speeches, the third and the fifth, to demolishing both claims, making much of Verres' supposedly arbitrary alteration of the tax regulations, and of his abject failure to control piracy in the region.

People's friend or wily opportunist? Cicero as prosecutor

But was Cicero really in it for the Sicilians? He claims, in the opening of the *Divinatio in Caecilium* (a speech of early 70 B.C. in which he competed with Q. Caecilius, a former quaestor of Verres in Sicily, for the right to prosecute Verres), that after his own quaestorship in Sicily, and the positive relationship which that engendered, 'the Sicilians have all, repeatedly and officially, approached me, to get me to undertake the cause of defending their common fortunes' (*Div. Caec.* 2). But the Sicilians had, in the previous two years, made repeated efforts to bring their complaints to Rome through other channels (before the Senate, the tribunes, and at least one consul), long before they turned to Cicero (II *Ver.* 2.95, 100, 103, 3.45, 3.204). Verres' dubious standing would have been obvious, Cicero's Sicilian connections would have meant that he was well informed, and Cicero was running for the aedileship this year, and needed a means of raising his profile.

Furthermore, in the opening speeches Cicero was able to build up an image of Verres backed by a cabal of senior statesmen, all colluding against both himself as a new man, and the oppressed Sicilians, to the detriment of the Roman People and the reputation of the Roman Senate; the reality of this is far from certain, but it is a

tactic Cicero regularly employs (the *Pro Roscio* of a decade earlier tries a similar tactic). Prosecution, in the Roman system, was a time-honoured way of making a name for oneself (as Cicero himself outlines in his later *De officiis*, 2.49). But it was usually a young man's game (one's early 20s), and at 36 Cicero was already well-established as a defence orator. Consequently, Cicero goes to great lengths to emphasize that he is defending the Sicilians as their patron, defending the *res publica* against the damage caused by Verres. But the idea that patrons regularly stood up for provinces in this way is itself just another piece of Ciceronian rhetoric, without obvious support in our other evidence.

At the end of the day, did Cicero's supposed advocacy for the oppressed people of Sicily make any difference? Verres went into exile in Marseilles, though he seems to have been able to hang on to at least some of his Sicilian loot and to enjoy a comfortable enforced retirement there. The Sicilians recovered little if any of what had been taken from them by Verres, and yet felt obliged to send Cicero a gift of grain, which he distributed the following year having won his aedileship (Plutarch, *Cicero* 8); so the only real winner, it seems, was Cicero, who was able to refine and publish his versions of the prosecution speeches he never delivered, knowing that Verres would have no right of reply.

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